

The PRESIDING OFFICER (Mr. LUJÁN). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Charlotte N. Sweeney, of Colorado, to be United States District Judge for the District of Colorado.

## VOTE ON SWEENEY NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Sweeney nomination?

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY), the Senator from Rhode Island (Mr. REED), and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), and the Senator from Alaska (Ms. MURKOWSKI).

The result was announced—yeas 48, nays 46, as follows:

[Rollcall Vote No. 201 Ex.]

## YEAS—48

Baldwin	Hassan	Padilla
Bennet	Heinrich	Peters
Blumenthal	Hickenlooper	Rosen
Booker	Hirono	Sanders
Brown	Kaine	Schatz
Cantwell	Kelly	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Sinema
Casey	Leahy	Smith
Collins	Lujan	Stabenow
Coons	Manchin	Tester
Cortez Masto	Markey	Warner
Duckworth	Menendez	Warnock
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Ossoff	Wyden

## NAYS—46

Barrasso	Hagerty	Romney
Blackburn	Hawley	Rounds
Blunt	Hoeven	Rubio
Boozman	Hyde-Smith	Sasse
Braun	Inhofe	Scott (FL)
Burr	Johnson	Scott (SC)
Capito	Kennedy	Shelby
Cassidy	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Paul	Young
Graham	Portman	
Grassley	Risch	

## NOT VOTING—6

Cornyn	Merkley	Reed
Cruz	Murkowski	Van Hollen

The nomination was confirmed.

The PRESIDING OFFICER (Mr. HICKENLOOPER). Under the previous

order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 806, Sandra L. Thompson, of Maryland, to be Director of the Federal Housing Finance Agency for a term of five years.

Charles E. Schumer, Sherrod Brown, Tammy Duckworth, Tina Smith, Jacky Rosen, Chris Van Hollen, Elizabeth Warren, Robert Menendez, Christopher Murphy, Jeff Merkley, Thomas R. Carper, Patty Murray, Christopher A. Coons, Catherine Cortez Masto, Richard Blumenthal, Patrick J. Leahy, Mazie Hirono.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Sandra L. Thompson, of Maryland, to be Director of the Federal Housing Finance Agency for a term of five years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY), the Senator from Rhode Island (Mr. REED), and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), and the Senator from Alaska (Ms. MURKOWSKI).

The yeas and nays resulted—yeas 48, nays 46, as follows:

[Rollcall Vote No. 202 Ex.]

## YEAS—48

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Rounds
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Sinema
Casey	Lujan	Smith
Coons	Manchin	Stabenow
Cortez Masto	Markey	Tester
Duckworth	Menendez	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden

## NAYS—46

Barrasso	Burr	Cramer
Blackburn	Capito	Crapo
Blunt	Cassidy	Daines
Boozman	Collins	Ernst
Braun	Cotton	Fischer

Graham	Lummis	Scott (SC)
Grassley	Marshall	Shelby
Hagerty	McConnell	Sullivan
Hawley	Moran	Thune
Hoeven	Paul	Tillis
Hyde-Smith	Portman	Toomey
Inhofe	Risch	Tuberville
Johnson	Romney	Wicker
Kennedy	Rubio	Young
Lankford	Sasse	
Lee	Scott (FL)	

## NOT VOTING—6

Cornyn	Merkley	Reed
Cruz	Murkowski	Van Hollen

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 46.

The motion is agreed to.

The PRESIDING OFFICER. The Senator from Ohio.

## NOMINATION OF SANDRA L. THOMPSON

Mr. BROWN. Mr. President, I urge my colleagues to support Sandra Thompson's historic nomination to be the Director of the Federal Housing Finance Agency.

Ms. Thompson is an exceptional nominee, with decades of experience in mortgage markets and Federal financial regulation.

Since June 2021, Ms. Thompson served as Acting Director at FHFA, where she has played a vital role in promoting access to mortgage credit, to overseeing and supervising Fannie Mae, Freddie Mac, and the 11 Federal Home Loan Banks, and to protecting the safety and soundness of the housing finance system.

Before being designated as Acting Director, Ms. Thompson served for 8 years as a Deputy Director for the Division of Mission and Goals at FHFA, so she is clearly very qualified.

She spent 18 years at the Federal Deposit Insurance Corporation. While there, she worked for seven different chairpersons, obviously, from both political parties and in senior-level positions.

She will be the first woman. She will, notably, be the first Black woman confirmed to lead FHFA.

For the first time, we have an administration and a Senate Banking and Housing Committee that understand how important it is to have economic leaders who reflect the country, who look like the country and think like the country—people who make it work.

She will join a growing list of experienced, talented Black women who have come through our committee—MARCIA FUDGE, who was my Congresswoman in Cleveland. She is now Secretary of HUD; Cecilia Rouse, Chair of the Council on Economic Advisers at the White House; Reta Jo Lewis, a CEO of the Export-Import Bank; Lisa Cook, first Black woman ever in 109 years—109 years, the first Black woman—at the Federal Reserve; Alanna McCargo; Alexia Latortue, just to name a few.

Ms. Thompson has proven she will work and she will listen to lenders, and consumers, and both sides of the aisle.

Before the pandemic, housing was too expensive and too hard to find, even before the pandemic. Whether you are looking to rent or to buy, FHFA has an important role to play in bringing

down housing costs and empowering more families to be able to afford a safe and stable home.

I strongly urge my colleagues in supporting Ms. Thompson's nomination.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOKER). The senior Senator from Iowa.

#### PESTICIDES

Mr. GRASSLEY. Mr. President, farmers across Iowa are finishing their planting of corn and soybeans. As for the Grassley farm, Robin and Pat Grassley finished planting last Thursday.

Most people have never stepped foot on a family farm, let alone know all about the complexities that go into planting, growing, and harvesting a bountiful crop. That is why I often use my social media to show my followers what is going on in farming—hashtag “corn watch,” hashtag “soybean watch.” I like to show how only 2 percent of the population raises food for the other 98 percent, plus exporting one-third of our production to feed people overseas. Food doesn't just magically appear on grocery store shelves.

When so few people know what it takes to produce food, we often run into obstacles at policymaking tables here in Congress and around Washington, DC. I often quote something Dwight Eisenhower said, and he said it best:

Farming looks mighty easy when your plow is a pencil, and you're a thousand miles from the corn field.

There has never been a more important time than right now for farmers to have a successful year. We are facing a world threatened by food shortages and food insecurity the likes of which we haven't seen since the Arab Spring a decade ago, in large part today because of Putin's unprovoked invasion of Ukraine.

The productivity of the American farmers and ranchers this crop season will have a big impact on the security and prosperity of countries around the world, as well as to make sure we don't get into a devastating shortage of food.

With so much at stake, Washington, DC, must provide farmers across the country a consistent policy when it comes to regulation of inputs and crop protection products. One State out of fifty can't go another direction without bringing harm to food production.

When it comes to the regulation of these products, public policy must be based on the best science available to make informed decisions. Science-based decisions shouldn't surprise anybody in this town because science was the Golden Rule in every coronavirus decision made in the Trump administration and still being made in the Biden administration.

The best science is why Congress enacted, in 1972, the regulation that goes by the title of the Federal Insecticide, Fungicide, and Rodenticide Act or FIFRA for short. Since 1972, FIFRA has expressly preempted State law, vested

the EPA with final authority over pesticide labeling and the usage of that pesticide. Specifically, FIFRA gave the EPA authority over pesticide labeling and the usage of that pesticide. Under FIFRA, it is the EPA's responsibility to undertake very extensive scientific review of regulated products and then determine what disclosures, if any, must be on the product labels. FIFRA provides that EPA conduct studies to determine product safety.

Congress intended that there be a Federal regulatory regime that would impose warnings, impose disclosures, and impose restrictions on the use of products under FIFRA. Congress made it very clear that Congress wanted science-based certainty and predictability for farmers and the resulting benefit that is to the farm entire economy.

Unfortunately, we have seen politically motivated environmentalists pushing for restrictions on regulated products that the EPA has determined are not necessary. This fundamentally undermines trust in the EPA and trust in Federal regulation of these products used in farming.

Make no doubt about my stand or anybody's stand here in the U.S. Senate, we all strongly support thorough vetting of regulated products to ensure public safety. However, I strongly support ensuring Iowa farmers have the supplies they need to feed families across America.

I hope President Biden would agree with me. His administration should be putting forward policies and taking positions that protect public safety, while ensuring farmers can produce the food that we need here in America and that we are able to supply one-third of our production for overseas. As we look at the world with a growing shortage of food—as I emphasized, partly because of what is going on in Ukraine—we must then ask ourselves what more we can be doing to support farmers.

Unfortunately, some recent decisions just made by this administration do just exactly the opposite. I said “just made by this administration” because 2 weeks ago, President Biden's Solicitor General filed a brief in a case involving widely used pesticides. In that brief, the Solicitor General flipped the government's long-held position that FIFRA preempts State law and instead argued against EPA's authority. So it looks to me like politics overcomes science.

You would think such a significant change would be firmly based on the law and science, just as I said. However, the Solicitor General explained this astounding change wasn't based on science because it was based on politics. Perhaps that is why the EPA general counsel's name doesn't appear on the brief.

I heard from many constituents about how serious of an impact the position taken by Biden's Solicitor General would have on the farming industry at-large. If the Court, meaning the

Supreme Court, effectively adopts the Solicitor General's position and that of the lower court decision, it will fundamentally disrupt the Federal regulation of use and of warnings under FIFRA related to substances such as these that farmers rely on every day in production agriculture.

It is clear that it wasn't the intent of Congress when it enacted FIFRA for there to be 50 State standards in addition to Federal standards because we all know the purpose of FIFRA was to create a uniform regime with authority vested in the EPA to set such standards, and that has never been questioned until now.

It is shocking that President Biden chose to put forward an argument that undermines the public trust in the EPA by putting politics ahead of the long-standing and consistent EPA regulation that enables farmers to grow the food that we and the world need. This abrupt change in the administration's position will have serious implications for the farm economy and our food supply.

Again, there needs to be a consistent regulatory regime to ensure the public's trust and to support U.S. agriculture so farmers can produce food, again, I say, that the Nation needs and the world needs.

So I hope the Solicitor General reverses her position, and even if she doesn't reverse her position, I hope the Supreme Court of the United States will be willing to hear this case.

I want to now quote Dr. Norman Borlaug, the Nobel Peace Prize winner, I think, in 1970. This winner was born and raised in Iowa:

If you desire peace, cultivate justice, but at the same time cultivate the fields to produce more bread; otherwise there will be no peace.

I think what he is referring to there is—at least what I believe and I have heard—that societies are only nine meals away from revolution. In other words, if you are a father and a mother and you can't feed your kids for 3 days, you will go to almost any end to make sure they get the food. So if you want social cohesion in America and around the world, we have to have enough food to feed our people.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Delaware.

#### GUN VIOLENCE

Mr. CARPER. Mr. President, like a lot of other Americans, I didn't sleep much last night, didn't sleep much at all. I couldn't shake the overwhelming feeling of sorrow that I felt for the community of Uvalde, TX. Nineteen innocent children, fourth graders, were gunned down in their classroom 3 days before summer break—3 days. Two teachers were murdered as well. Countless children witnessed their classmates and teachers shot and killed as they climbed through windows to try to escape the massacre. Twenty-one families are living every parents' worst nightmare—the loss of a child. Instead

of planning their summer vacations, those families are now planning their children's funerals. Their nightmare is our national nightmare.

Though my own boys are now grown adults, I can't help but think when my wife and I used to help them with their homework and tuck them into bed at night. I can't help but think of when they were the same age of the 19 elementary children gunned down at their school yesterday. Like millions of American parents across our country, my wife and I are brokenhearted today.

Millions of Americans dropped their children off at school this morning, and my guess is they probably hugged them extra tightly. They said goodbye and watched those kids walk into school. And they left to hope and pray today that their children will be there, alive, at pickup at the end of the day or that they will be on the bus ride coming home at night. They are left to hope and pray that they never get the shattering call that those families in Uvalde received yesterday.

We are the only country in the world where parents have to hope and pray that their children will not be murdered at school by a gunman. We are the only country in the world where a fourth grade classroom can be turned into a battlefield by a madman with an assault weapon.

This has to stop. We can't go on this way. We are mourning this tragedy, and I refuse to accept inaction. I refuse to accept that the mass slaughter of children in their fourth grade classroom is somehow normal. This has to stop. We can't go on this way.

For as long as I have been in this Chamber—that is some 21 years—we have been failing to address the epidemic of gun violence in this country. This has to stop. We can't go on this way. I refuse to believe that Congress can't reform our gun laws in a way that the American public broadly support. I refuse to believe that changing our laws won't reduce gun violence and make these tragedies less likely from recurring in the future.

We are long overdue to make commonsense reforms to our Nation's gun laws. To put it bluntly, this is not going to be easy. I know it. I think we all realize that.

Many of our friends in this Chamber revere the Second Amendment and respect the tradition of lawful gun ownership in this country. I myself am a gun owner and have been one since I was 12 years old when I bought my first BB gun. However, the Second Amendment does not give us the right to murder children at school or gun down worshippers at church or kill African Americans at a grocery store.

In our Declaration of Independence, Thomas Jefferson wrote these words that we all remember. He wrote:

All men [and women] are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

These 19 children were denied the right to life, to liberty, and the pursuit of happiness.

So in Uvalde, there is no little league game this weekend. There is no fifth grade next year. They will never get to be teenagers, go to the prom, graduate, go on to college, have a career, or have children of their own, and, if lucky, maybe grandchildren someday. Their lives were stolen from them by a gunman; and, tragically, we can never bring them back.

What we can do though—what we can do though—is to try hard, really hard to prevent this from ever happening again.

We need to be able to say to the American people: We have had enough. This has to stop. We can't go on this way. We won't go on this way.

Today, we are a nation in mourning. We also need to be a nation working together to address this epidemic, working to reform our gun laws, and doing whatever it takes to prevent another massacre in an American school, in a place of worship, or in a grocery store.

May God bless the community of Uvalde. May the Lord be with those 21 families during this time of unfathomable heartache and anguish.

I yield the floor.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Wisconsin.

UNANIMOUS CONSENT REQUEST—S. 111

Mr. JOHNSON. Madam President, today America grieves. There is nothing partisan about being a parent and grandparent. I cannot imagine—I cannot imagine—the grief felt by the parents of those children. Unless you have experienced it, none of us can.

What is the solution? There is no one solution. Let's be honest about that. Following Sandy Hook, following Parkland, I met with the parents of those horrific and senseless tragedies. I have been blessed to get to know three parents quite well: Tom and Gina Hoyer, and Max Schachter. Tom and Gina are the parents of Luke Hoyer; Max is the father of Alex Schachter—two of the 17 victims of the Marjory Stoneman Douglas High School slaughter in Parkland, FL, that occurred on February 14, 2018.

In getting to know Tom and Gina and Max, you get some sense of the level of grief. I mentioned there is nothing partisan about grief. I listened to President Biden's remarks last night. I think the point he made that pierced my heart, because President Biden has known tragedy, is when he said that those parents in Texas, they are asking themselves will they ever sleep again.

So we all grieve. We are all looking for solutions. The good Senator from Delaware said: "We must take action."

So what I have always valued about Tom and Gina and Max is these are three individuals, parents who do know the pain, that still grieve the loss of their sons, and yet they have not approached trying to find solutions in any partisan way whatsoever. They are trying to find areas of agreement.

They advised the Federal Commission on School Safety. They came up with a pretty commonsense action. It may not solve all the problems, but it is a good idea. It is such a good idea that as chairman of the committee—Subcommittee on Homeland Security and Governmental Affairs, we codified it, we passed it unanimously out of our committee in November of 2019. It is called the Luke and Alex School Safety Act. It is pretty simple. It just creates a clearinghouse of information of the best practices for school safety.

It involves numerous Departments—Department of Health and Human Services, Justice, Homeland Security. All must approve what these best practices are. It ensures the parents, teachers, school officials, other stakeholders have input into what those best practices are. It doesn't allow the clearinghouse to mandate any school take any certain action.

And maybe, most importantly, it publishes the available grant programs and Federal resources available for school safety. Again, it passed out of the Committee on Homeland Security and Governmental Affairs twice, unanimously, once under my chairmanship, once under the chairmanship of Senator PETERS. There is nothing partisan about this bill whatsoever. It is just a good idea that can save lives.

It was such a good idea that under the previous administration, they set up that clearinghouse. It is up and it is operating. So all this bill does at this point is serve as a model for what is happening. All this bill does now is codify it, to make sure this clearinghouse stands the test of time, that it will always be there to provide those best practices on school safety.

Now, I am very sensitive to the moment in time we are sitting here right now. We should let the Nation and those parents grieve. I don't want to politicize anything about this moment.

So I called up Max, I called up Tom and Gina and asked them what would you like me to do? They have been trying to get this codified, passed into law for 4 years. I can't explain why it is not law. Just last month, the Senate passed the Pray Safe Act, which was basically it took that bill, the Luke and Alex School Safety Act and just applied it to churches. That passed by unanimous consent—no objection.

I tried to attach this bill to that bill, but for whatever reason, somebody is objecting. I have no idea why. None.

Again, it passed our committee unanimously twice. It is a good idea. It could save lives. It is an action when people are calling for action following this tragedy.

So I know I see the Senator from Florida that would also like to speak to this bill before I ask consent.

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. When I heard the horrific news from Uvalde, TX, yesterday, I immediately thought of two things, my grandchildren, most of

whom are in elementary school, and the 17 lives we lost in Parkland, FL, 4 years ago. Our hearts are shattered at the loss of these small children—19 children that are just in fourth grade and two teachers. It is infuriating and heart-wrenching.

I can't imagine losing a child or a loved one. Unfortunately, there are 17 families in Florida who don't have to imagine it. They know that pain and live it each and every day. There is seldom a day that goes by that I don't think about the families that lost their children and loved ones that day. No community should feel the pain that families in Parkland and Uvalde now feel. We will never be able to prevent every vicious crime, but we can and must act.

There are solutions to be found at the State level and the Federal level, and today, we can take action in the Senate to make our schools safer.

I want to thank Senator JOHNSON for leading this bill and Senators RUBIO, RISCH, and GRASSLEY for their strong support of this legislation and other efforts to keep our kids safe.

This bill, the Luke and Alex School Safety Act was named in honor of Luke Hoyer and Alex Schachter. Luke and Alex were taken from us in the shooting at Marjory Stoneman Douglas High School on February 14, 2018, in Parkland, FL.

Since that horrible day, I have worked closely with many of the victims' families as Governor and now as Senator to do everything possible so that no child, educator, or family has to experience that again.

There is clearly a lot more work to do. This legislation, the Luke and Alex School Safety Act, codifies a Federal school safety clearinghouse by informing parents and educators on expert recommendations and best practices that schools can implement to improve school security. This bill builds on our work to keep schools safe and prevent another tragedy.

Today, we can get something done that creates safer schools for our kids and our teachers. I appreciate the work again of Senators JOHNSON, RUBIO, RISCH, and GRASSLEY and all of our colleagues.

As we continue to pray for Uvalde and the families that have suffered this tremendous loss, I urge the Senate to pass this good bill and take a step in the right direction that keeps our kids and teachers safe.

Mr. JOHNSON. I thank the Senator from Florida for those comments.

I just want to again emphasize the fact that I just spoke with Max and Gina and Tom. These are parents of children who lost their lives in a school shooting. These are parents that have come up with a solution—a non-partisan solution—got it recommended by the Federal Commission on School Safety.

They told me that the day after Parkland, had a parent from Sandy Hook had a piece of legislation that

they had been trying to get passed but couldn't, it would help. They would have been 100 percent supportive of that piece of legislation, come to the floor, and pass it by unanimous consent, irrespective of the timing.

They asked me to come to the floor today to ask my colleagues to lay aside partisanship, to do something for these families, provide them some measure of comfort by passing a completely nonpartisan bill that could make a difference, that could save a life. There is no reason not to pass this bill today in this Chamber at this hour.

So, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 102, S. 111.

I further ask that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. SCHUMER. Reserving the right to object.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Madam President, the American people have had to endure two of the worst mass shootings in recent history in just the span of 10 days. One of them happened to be in my home State of New York in the dear city of Buffalo; the other happened yesterday in Texas, the worst school shooting since Sandy Hook, and we can't get out of our minds—I can't—the picture of 10, 11, and 9-year-olds being shot, killed, just ready to burst into the adolescent and adult phases of their lives.

What the American people want is real solutions to our Nation's gun violence epidemic. We have had too many moments of silence, too many thoughts and prayers. Americans are sick of it. Many in this Chamber are sick of it.

Here is the sad truth about what happened yesterday and why I plan to object to my colleague's UC: hardening schools would have done nothing to prevent this shooting. In fact, there were guards and police officers already at the school yesterday when the shooter showed up. One was a school police officer, two were from the Uvalde Police Department. The shooter got past all of them with two assault weapons that he purchased. They couldn't stop him.

The bill would not have protected those children. More guns won't protect our children. That is the wrong answer. There are too many guns and too many options for the wrong people to get guns.

So I plan to object to passing this measure today through consent, but I would tell my colleague from Wisconsin, tomorrow we can begin voting on a bill that will take us—that will let us take action on guns, and we could consider amendments like this then, along with others.

Tomorrow, the Senate is scheduled to take the first step—the first step—in

responding to the shooting that happened in my home State of New York 2 weeks ago and so many other mass shootings over the years that have been motivated by race.

The Domestic Terrorism Prevention Act, which I set in motion earlier this week, is a necessary and timely step to honor the memories of the dead in Buffalo and to make sure mass shootings motivated by race don't happen again.

I urge all my Republican colleagues to vote to get on the bill. All we are asking is a vote "yes" on the motion to proceed.

I urge my colleague from Wisconsin to vote yes on that bill.

If Senator JOHNSON helps us get on the domestic terrorism bill, we could consider amendments related to guns—his and others' who have a different point of view. If Republicans can vote with us to get on that bill, we can have a debate on considering commonsense, strong gun safety amendments, hopefully with bipartisan support. The Senator from Wisconsin says his bill is bipartisan. There are five Republican sponsors.

The bottom line is, if you want to have bipartisan debates, you don't just say: My bill must pass by unanimous consent, and no other bill can pass. I am providing a path that we can have a debate on these amendments.

Let me be clear. We are going to vote on gun legislation, and the Republicans could let us start doing that as soon as tomorrow if they simply vote yes on the motion to proceed, and I give them a pledge that we will then start debating gun amendments—Senator JOHNSON's and many others' who have a different point of view. I repeat, though, we are going to vote on gun legislation. The American people are tired of moments of silence, tired of the kind words offering thoughts and prayers.

We can use the domestic terrorism bill tomorrow to begin—I repeat, to begin—considering gun safety amendments, and we can consider the proposal he brings to the floor today. So we won't just have this amendment; we will have a lot of amendments to debate. That seems perfectly fair and, in fact, bipartisan. Alone, the Johnson bill is not in any way, shape, or form a sufficient solution, and so I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Wisconsin.

Mr. JOHNSON. As chairman of Homeland Security, I have passed more than 300 pieces of legislation out of committee, and over 130 of those became law. Very few of those—almost none—were partisan in any way, shape, or form. The approach I used to have that kind of legislative success is, rather than focus on issues that divide us, I concentrated on areas of agreement.

Today, I brought to the Senate floor a nonpartisan bill, a bill crafted by the parents—the parents—who lost their sons in one of these horrific tragedies. It passed out of our committee twice unanimously. Those parents asked me

to come today to please pass this bill; take some action; provide some comfort to all the parents who are grieving, to a nation that is grieving.

So I came to the floor today, and I will not engage in partisanship other than to say it is just sad—it is just sad that this body can't pass this bill when, about a month ago, they passed an identical bill that applied to churches. This one applies to schools. Yet it is inappropriate, according to the majority leader, to pass this nonpartisan bill by unanimous consent? This is a very sad day for the U.S. Senate.

I yield the floor.

The PRESIDING OFFICER. The Republican leader.

NOMINATION OF HENRY CHRISTOPHER FREY

Mr. MCCONNELL. Madam President, gas prices have set new alltime record highs every day for more than 2 weeks. Overall inflation is the worst it has been in more than 40 years. And the Biden administration is preparing to follow their botched Afghanistan retreat with a disastrous nuclear deal that would help Iran and hurt America.

But this week, the Senate Democrat majority is not taking action on any of those things; the Senate is instead spending the week cramming more far-left bureaucrats into the executive branch, where they will keep making these problems even worse.

Later today, Senate Democrats want to confirm as Assistant Administrator for EPA someone who has previously researched the environmental impact of football tailgating and concluding it would be best for the environment if the authorities—listen to this—banned charcoal grills and gas generators. This is no joke. Dr. Christopher Frey literally coauthored a research paper that argued that “the most environmentally responsible policy would be . . . a universal ban on idling, charcoal grills, and old generators”—just the nominee the American people need confirmed by Memorial Day weekend.

So, honestly, where do they find these people? The same nominee wrote in defense of the illegal, job-killing so-called Clean Power Plan. As a past chairman of the EPA's Clean Air Scientific Advisory Committee, he worked to politicize its work from outside.

Things aren't going any better at the committee level. This morning, the HELP Committee deadlocked on the nomination of Kalpana Kotagal, whom President Biden wants to put on the Equal Employment Opportunity Commission. Ms. Kotagal is a liberal plaintiff's lawyer who is best known for rewriting Hollywood legal contracts to push movie casting toward racial quotas, gender quotas, and sexual orientation quotas. The President has found the one person in America who thinks liberal Hollywood is not woke enough.

The nominee also has a record of hostility to American energy. She has been both an official spokeswoman and a registered lobbyist for a far-left group that wants to eliminate fossil

fuels. She is on the board of another organization that has frivolously sued the State of West Virginia over energy issues.

The American people know Washington Democrats' policies hurt working families. They have seen that in our colleagues' legislation. And it is more of the same when it comes to the nominees they are picking to design and carry out their tsunami of regulations.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Madam President, as ranking member of the Committee on Environment and Public Works, I rise to oppose the nomination of Dr. Chris Frey due to the consistent lack of responsiveness from the EPA on our critical oversight matters.

The Republican leader, Senator MCCONNELL, just talked about Dr. Frey's research on gas grills and grilling out, but over the past 16 months, my objections are that the Biden EPA has repeatedly slow-walked responses to reasonable oversight requests for Agency briefings and documents related to implementation of policies with huge, huge implications for our economy and our constituents' lives.

We cannot adequately oversee the Agency's programs—including historic levels of drinking water infrastructure funding made possible by the bipartisan IIJA—without this transparency. Until the EPA heeds congressional oversight requests, I urge my colleagues to join me in opposing Dr. Frey's nomination.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, as we heard from previous speakers, we will shortly vote to invoke cloture on the nomination of Dr. Christopher Frey to be Assistant Administrator for EPA's Office of Research and Development. I rise today in strong support of his nomination.

Chris Frey, as he is known to his friends and colleagues, is an outstanding public servant, a deeply respected scientist, and an excellent choice to fill this leadership role at EPA.

The Office of Research and Development provides the bedrock of scientific analysis upon which we establish our Nation's critical environmental protection regulations. The EPA is able to fulfill its responsibilities to protect our air that we breathe, to protect the water that we drink, and the land we build our communities upon because of the robust scientific research provided by what is called O-R-D, the Office of Research and Development.

Dr. Frey's nomination received a bipartisan vote in the Committee on Environment and Public Works. He has the experience, intellect, and integrity to lead this indispensable office. I am eager to see him confirmed.

I encourage my colleagues to join me in supporting cloture on his nomination. This is about restoring science as the guiding force in EPA's work.

I yield the floor.

VOTE ON THOMPSON NOMINATION

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I know of no further debate on the nomination.

The PRESIDING OFFICER. If there is no further debate, the question is, Will the Senate advise and consent to the Thompson nomination?

Mr. CARPER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY) and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), and the Senator from Alaska (Ms. MURKOWSKI).

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 46, as follows:

[Rollcall Vote No. 203 Ex.]

#### YEAS—49

Baldwin	Hickenlooper	Rosen
Bennet	Hirono	Rounds
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Hassan	Peters	
Heinrich	Reed	

#### NAYS—46

Barrasso	Grassley	Risch
Blackburn	Hagerty	Romney
Blunt	Hawley	Rubio
Boozman	Hoeben	Sasse
Braun	Hyde-Smith	Scott (FL)
Burr	Inhofe	Scott (SC)
Capito	Johnson	Shelby
Cassidy	Kennedy	Sullivan
Collins	Lankford	Thune
Cotton	Lee	Tillis
Cramer	Lummis	Toomey
Crapo	Marshall	Tuberville
Daines	McConnell	Wicker
Ernst	Moran	Young
Fischer	Paul	
Graham	Portman	

#### NOT VOTING—5

Cornyn	Merkley	Van Hollen
Cruz	Murkowski	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the